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VIA ECF and Email: bernstein.chambers@nysb.uscourts.gov

Honorable Stuart M. Bernstein
United States Bankruptcy Judge
United States Bankruptcy Court
Southern District of New York
One Bowling Green
New York, New York 10004-1408

Re: *Securities Investor Protection Corporation v. Bernard L. Madoff Investment Securities LLC*, Adv. Pro. No. 08-01789 (SMB)

Picard v. Luxalpha Sicav, et al., Adv. Pro. No. 10-04285 (SMB)

Dear Judge Bernstein:

This firm represents Defendants Luxalpha Sicav as represented by its Liquidators Maitre Alain Rukavina and Paul Laplume, and Maitre Alain Rukavina and Paul Laplume, in their capacities as liquidators and representatives of Luxalpha Sicav (collectively, "Luxalpha"). I write regarding the Motion for Leave to File a Second Amended Complaint (ECF No. 247) recently filed in the above referenced adversary proceeding by the Trustee, Irving Picard (the "Motion"). Luxalpha intends to oppose the Motion, and also file a Cross-Motion seeking claim determination and allowance (the "Cross-Motion").

We respectfully request leave of the Court to file an oversize Brief of no more than 50 pages that will cover the issues raised in both the Motion and the Cross-Motion. The proposed Second Amended Complaint is comprised of 299 paragraphs and is approximately 71 pages long. There are a myriad of issues presented, including the purported imputation of knowledge of numerous Luxalpha related service providers and directors to support the Trustee's assertions that he meets the "actual knowledge" or "willful blindness" standards governing these cases, whether the safe harbor of 11 U.S.C. § 546(e) applies, as well as equitable subordination and numerous claim related issues.

Given the issues presented in the Motion and our anticipated Cross-Motion, we respectfully submit that an increase from the Court's standard 40-page limit set forth in Your Honor's chambers rules is appropriate in this case. We conferred with counsel for the Trustee and they consent to this request, so long as the Trustee is given a similar 50 page limit for his anticipated Brief in support of the Motion and in opposition to the Cross-Motion. Luxalpha will limit it's Reply Brief in support of the Cross-Motion to 20 pages in accordance with Your Honor's chambers rules.

PORZIO
BROMBERG & NEWMAN P.C.

ATTORNEYS AT LAW

We appreciate Your Honor's consideration of this request, and would be happy to make ourselves available to discuss as needed.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Brett S. Moore", with a stylized flourish extending from the end.

Brett S. Moore

cc: Oren Warshavsky, Esq. (via email)
Benjamin D. Pergament, Esq. (via email)
Robertson D. Beckerlegge, Esq. (via email)
Geoffrey A. North, Esq. (via email)